



City Council Agenda

Council President
Henry Perea

Councilmembers

Tom Boyajian
Brian Calhoun
Brad Castillo

Jerry Duncan
Sal Quintero
Daniel Ronquillo, Acting President

City Manager
Daniel G. Hobbs

City Clerk
Rebecca E. Klisch , CMC

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

TUESDAY, OCTOBER 9, 2001

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON (www.ci.fresno.ca.us). THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.

8:30 A.M.

Roll Call

Invocation by Imam Raymundo Nur of the Moslem Society of Central California

Pledge of Allegiance to the Flag

Proclamation of "CHEVRON DAY" - Acting President Ronquillo

Proclamation for "BOY SCOUTS OF AMERICA" - Council President Perea

Proclamation of "NONPROFIT BOARD DIVERSITY DAY"

Proclamation of "MIGHTY EIGHTH AIR FORCE WEEK"

Proclamation of "MABELLE SELLAND DAY" - Councilmember Boyajian

Resolution of Appreciation to Captain Pat Rhames - Councilmember Calhoun

COUNCIL ACTION ON UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA. FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

Approve City Council minutes of October 2, 2001

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS

8:45 A.M. Confirmation of permanent appointment of Ruthie Quinto to City Controller

Action Taken:

9:00 A.M. Presentation by the City of Clovis regarding Quad Design intersection

Action Taken:

9:30 A.M. Joint presentation by San Joaquin Valley Air Pollution Control District and County of Fresno Council of Governments potential sanctions due to severe air quality

Action Taken:

10:00 A.M. **HEARING** to consider vacation of the "E-Freeway 99" alley, between Tulare & Kern Streets, R.I. No.1024-D

- a. * RESOLUTION -** Ordering the vacation of the "E-Freeway 99" alley between Tulare and Kern Streets and authorizing and directing the Public Works Director to execute a deed conveying a City-owned separately undevelopable strip of land between the alley and Freeway 99 to the adjacent owner

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

10:15 A.M. **CLOSED SESSION**

A. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** - Govt. Code Section 54956.9, Subdivision (a)

1. **Case Name:** City of Fresno v. County of Fresno, Fresno Local Agency Formation Commission, City of Clovis

Action Taken:

11:00 A.M. **CONTINUED HEARING** regarding the formation of Community Facilities District No. 5 (Foundry Park) (*Continue to 2:15 p.m.*)

Action Taken:

11:30 A.M. **HEARING** to consider Plan Amendment No. A-00-21, Rezoning Application No. R-00-42, filed by McCaffrey Development, L.P. on behalf of Azalea Biglione, for 77.2± acres area located southeast of the intersection of E. Copper and N. Maple Avenues (*Council District 6*) (*Continue to 2:30 p.m.*)

Action Taken:

2:00 P.M. **CONTESTED CONSENT CALENDAR**

2:15 P.M. **CONTINUED HEARING** regarding the formation of Community Facilities District No. 5 (Foundry Park) (*Continued from 11:00 a.m.*)

Action Taken:

- a. **RESOLUTION** - Of formation establishing Community Facilities District No. 5 (Foundry Park Public Improvement Project), authorizing the levy of a special tax within said district and calling an election for the purpose of submitting the levy of the special tax and the establishment of the appropriations limit to the qualified electors of the district

Action Taken:

- b. **RESOLUTION** - Determining the necessity to incur a bonded indebtedness within the proposed Community Facilities District No. 5 (Foundry Park Public Improvement Project) and calling an election for the purpose of submitting the proposition to the qualified electors of the district

Action Taken:

- c. **RESOLUTION** - Canvassing the results of the October 9, 2001, election held within Community Facilities District No. 5 (Foundry Park Public Improvement Project)

Action Taken:

- d. **RESOLUTION** - Authorizing the issuance of bonds, the execution of an Indenture and Bond Purchase Agreement related to the issuance and sale of bonds, approving a Preliminary Official Statement and authorizing execution of an agreement for reimbursement for work in-kind and acquisition of public facilities and other matters related thereto

Action Taken:

- e. * **BILL** - Authorizing the levy of a special tax within Community Facilities District No. 5 (Foundry Park Public Improvement Project)

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

2:30 P.M. **CONTINUED HEARING** to consider Plan Amendment No. A-00-21, Rezoning Application No. R-00-42, filed by McCaffrey Development, L.P. on behalf of Azalea Biglione, for 77.2± acre area located southeast of the intersection of E. Copper and N. Maple Avenues (*Council District 6*) (*Continued from 11:30 a.m.*)

Action Taken:

- a. Consider and adopt Mitigated Negative Declaration for Environmental Assessment No. A-00-21, R-00-42, TT-4903

Action Taken:

- b. **RESOLUTION** - Amending the Woodward Park Community Plan

Action Taken:

- c. **BILL** - Amending the Official Zone Map to rezone the most northwesterly approximately 14.7± acre portion of the project site from the AL-20 (Limited Agriculture-Fresno County) zone district to C-1/UGM (Neighborhood Shopping/Urban Growth Management) zone district; the remaining 62.5± acre portion of the site from the AL-20 (Limited Agriculture-Fresno County) zone district to the R-1/UGM (Single-Family Residential/Urban Growth Management) zone district

Action Taken:

2:35 P.M. Appearance by Mary Yvonne Brown to present letters of commendation to the City Council, City Manager, Fire Chief and Police Chief

Action Taken:

GENERAL CONSENT CALENDAR

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.)

1A-1. DEPT. OF ADMINISTRATIVE SERVICES

- a. * **RESOLUTION** - 28th amendment to AAR No. 2001-200 appropriating \$132,900 for the CMAQ grant funded and pedestrian/bike lane facilities funded bike lane enhancement projects, Barstow/Freeway 41, E. Central and pedestrian/bike facilities Tower District (*Requires five affirmative votes*)

Action Taken:

1. Award a contract for construction of bike lanes and routes at various locations in the City of Fresno

Action Taken:

- b. Reject all bids construction of bike lanes in West Central and Central Northwest Fresno

Action Taken:

GENERAL CONSENT CALENDAR CONTINUED

1A-2. CITY ATTORNEY

1A-3. CITY CLERK'S OFFICE

1A-4. CITY COUNCIL/MAYOR'S OFFICE

- a. Affirm appointment of Serop Torossian to the Northeast Area Community Plan Review and Implementation Committee - Councilmember Duncan

Action Taken:

1A-5. CITY MANAGER

- a. **RESOLUTION** - Direct Labor Relations Manager to execute Side Letter of Agreement with the employee organizations providing continuation of payment of City's portion of Health and Welfare benefits for employees with dependents while employees are serving in active duty

Action Taken:

- b. * **RESOLUTION** - 31st amendment to AAR No. 2001-200 appropriating \$37,600 for the final payment of the Multi-Cultural Corridor Project (*Requires five affirmative votes*)

Action Taken:

1A-6. CONVENTION CENTER

1A-7. DEVELOPMENT DEPARTMENT

- a. **RESOLUTION** - Approving the Final Map of Tract No. 4493 and accepting dedicated public uses therein; Phase 1 of Vesting Tentative Map No. 4493, a 84-lot single-family residential with two outlots for future development on approximately 17.25 acres of property located on the south side of W. McKinley Avenue, between N. Polk and N. Hayes Avenue

Action Taken:

- 1. * **RESOLUTION** - 30th amendment to AAR No. 2001-200 appropriating \$34,500 for the right-of-way acquisition for Tract No. 4493 at McKinley and N. Carnegie Avenues (*Requires five affirmative votes*)

Action Taken:

- b. **RESOLUTION** - Approving the Final Map of Tract No. 5006 and accepting dedicated public uses therein; Phase 4 of Vesting Tentative Map No. 4357, a 85-lot single-family residential subdivision on approximately 19.03 acres of property located east of N. Hayes Avenue and north of W. Sierra Avenue

Action Taken:

GENERAL CONSENT CALENDAR CONTINUED

1A-8. FIRE DEPARTMENT

1A-9. DEPARTMENT OF HOUSING AND NEIGHBORHOOD REVITALIZATION

1A-10 PARKS, RECREATION AND COMMUNITY SERVICES

1A-11 POLICE DEPARTMENT

- a. * **RESOLUTION** - 34th amendment to the AAR No. 2001-200 appropriating \$150,700 to continue the implementation of the Violence Against Women Law Enforcement Specialized Units Program
(Requires five affirmative votes)
Action Taken:
- b. **RESOLUTION** - Authorizing the Chief of Police to enter into and execute an agreement with the California Office of Traffic Safety for a "Railroad Crossing Safety" Grant
 - 1. * **RESOLUTION** - 29th amendment to the AAR No. 2001-200 appropriating \$41,700 for the Railroad Crossing Safety Program *(Requires five affirmative votes)*
Action Taken:
- c. * **RESOLUTION** - 33rd amendment to AAR No. 2001-200 appropriating \$74,600 for the California Law Enforcement Equipment Purchase (CLEEP) Grant *(Requires five affirmative votes)*
Action Taken:
- d.
 - 1. **RESOLUTION** - Authorizing the Chief of Police to submit an application and any other relevant documentation to the Office of Criminal Justice Planning to receive \$314,140 in 2000 Juvenile Accountability Incentive Block Grant
Action Taken:
 - 2. * **RESOLUTION** - 21st amendment to AAR No. 2001-200 appropriating \$349,100 of Juvenile Accountability Incentive Block Grant (JAIBAG) 1999 & 2000 Grant Revenue *(Requires five affirmative votes)*
Action Taken:
 - 3. * **RESOLUTION** - 2nd amendment to PAR No. 2001-201 adding (1) one Sergeant and (1) one Police Officer position
Action Taken:
- e. * **RESOLUTION** - 32nd amendment to AAR No. 2001-200 to transfer funds and appropriate \$67,500 to support the collection of traffic stop demographic data *(Requires five affirmative votes)*
Action Taken:

GENERAL CONSENT CALENDAR CONTINUED

1A-12 PUBLIC UTILITIES DEPARTMENT

1A-13 PUBLIC WORKS DEPARTMENT

1A-14 RETIREMENT OFFICE

1A-15 TRANSPORTATION DEPARTMENT

- a. Approve Amendment No. 1 to the Cargo Building Lease and Agreement between the City of Fresno-Airports and National Car Rental System, Inc.
Action Taken:
- b. Approve Amendment to the Cargo Building Lease and Agreement between the City of Fresno-Airports and the Hertz Corporation
Action Taken:

1B. CONSENT CALENDAR - BILL FOR INTRODUCTION - PINK TABS

2. PLANNING AND ZONING ADMINISTRATION

3. GENERAL ADMINISTRATION

- A. * **RESOLUTION** - 25th amendment to AAR No. 2001-200 appropriating funds for the completion of street improvements along Fowler Avenue in front of FMFCD Basin "BV" (*Requires five affirmative votes*)

4. CITY ATTORNEY

5. CITY COUNCIL

- A. Consider setting a hearing for Council consideration of the Planning Commission's action related to Variance Application No. V-01-011 - Councilmember Calhoun
Action Taken:

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

7. **UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

SCHEDULED COUNCIL HEARINGS AND MATTERS

- Oct. 16 - 9:00 A.M. Presentation of P.R.I.D.E. Team Certificates for Fall Quarter (*Reception immediately following, 2nd floor foyer*)
- Oct. 16 - 10:00 A.M. Green waste RFP's (Nos. 8419 and 8422)
- Oct. 16 - 10:15 A.M. **HEARING** re: P.A. No. A-01-019 filed by Michael Paoli (on behalf of) State Center Community College District - Development Dept.
- Oct. 16 - 10:30 A.M. **HEARING** to adopt resolution designation the Hopkins Residence, located at 1458 E. Divisadero to Fresno's Local Official Register of Historic Resources (District 3)
- Oct. 16 - 10:45 A.M. **HEARING** re: Rezone Appl. No. R-01-039, filed by Colliers Tingey International
- Oct. 16 - 11:30 A.M. **HEARING** to consider the use of \$1,209,795 awarded to the City by the U.S. Dept. of Justice to undertake the Local Law Enforcement Block Grant Program
- Oct. 16 - 4:00 P.M. Measure "C" City Plan - Councilmember Calhoun
- Oct. 16 - 5:30 P.M. Adoption of Bill No. B-68 regarding to Text Amendment No. TA-00-02 relating to group housing facilities
- Oct. 23 - (NOT A REGULAR MEETING) 1:00 P.M. - 5:00 P.M. - CEQA Workshop
- Oct. 30 - 10:00 A.M. Presentation of Employee Service Awards (*Reception immediately following, 2nd floor foyer*)
- Oct. 30 - 11:00 A.M. **HEARING** re: Annexation No. 30, Community Facilities District No. 2
- Oct. 30 - 11:15 A.M. **CONTINUED HEARING** re: C.U.P. C-01-058
- Oct. 30 - 5:00 P.M. Opportunities and Solutions Summit Update
- Oct. 30 - 5:30 P.M. **CONTINUED HEARING** to consider Text Amendment relating to auto sales
- Nov. 6 - 10:00 A.M. **HEARING** re: P.A. No. 01-12, Rezone No. R-01-15, filed by Krazan & Associates
- Nov. 13 NO MEETING - VETERANS WEEK
- Nov. 20 NO MEETING - THANKSGIVING WEEK
- Nov. 27 - 10:00 A.M. **HEARING** re: vacation of Clark Street and Clark-Diana alley betw. Divisadero and McKenzie - R.I. No. 1022
- Dec. 20 - NO MEETING - CHRISTMAS WEEK